

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) AR - 55					
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ Signature _____ Typed or printed name _____		In re Application of <div style="text-align: center; padding: 5px;">Jeff S. Eder</div> <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Application Number 10/645,099</td> <td style="width: 50%; border: none;">Filed 8/21/2003</td> </tr> </table> <hr/> For A METHOD OF AND SYSTEM FOR IDENTIFYING, MEASURING AND ENHANCING CATEGORIES OF VALUE FOR A VALUE CHAIN <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Art Unit 3692</td> <td style="width: 50%; border: none;">Examiner Susan Meinecke Diaz</td> </tr> </table>		Application Number 10/645,099	Filed 8/21/2003	Art Unit 3692	Examiner Susan Meinecke Diaz
Application Number 10/645,099	Filed 8/21/2003						
Art Unit 3692	Examiner Susan Meinecke Diaz						
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.							
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ <u>540.00</u>					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ <u>270 - 250 already paid = 20</u>					
<input type="checkbox"/> A check in the amount of the fee is enclosed.							
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.							
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.							
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>503642</u> . I have enclosed a duplicate copy of this sheet.							
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.							
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.							
I am the							
<input type="checkbox"/> applicant/inventor.		<u>/B.J. Bennett/</u> Signature					
<input checked="" type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		<u>B.J. Bennett, President</u> Typed or printed name					
<input type="checkbox"/> attorney or agent of record. Registration number _____		<u>(206) 335-2102</u> Telephone number					
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____		<u>7/05/2009</u> Date					
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.							
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.							

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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The examiner may, with approval from the supervisory patent examiner, reopen prosecution to enter a new ground of rejection after appellant's brief or reply brief has been filed. The Office action containing a new ground of rejection may be made final if the new ground of rejection was (A) necessitated by amendment, or (B) based on information presented in an information disclosure statement under **37 CFR 1.97(c)** where no statement under 37 CFR 1.97(e) was filed. See **MPEP § 706.07(a)**. >Any after final amendment or affidavit or other evidence that was not entered before must be entered and considered on the merits.<

Form paragraph *12.187< may be used when reopening prosecution:

**>

¶ 12.187 Reopening of Prosecution After Appeal Brief or Reply Brief

In view of the **[1]** filed on **[2]**, PROSECUTION IS HEREBY REOPENED. **[3]** set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR **1.111** (if this Office action is non-final) or a reply under 37 CFR **1.113** (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR **41.31** followed by an appeal brief under 37 CFR **41.37**. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR **41.20** have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below: